

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Board of Supervisors of The County of Nevada,

Complainant,

vs.

SBC Pacific Bell,

Defendant.

Case 02-06-010
(Filed June 10, 2002)

**SCOPING MEMO AND RULING OF
ASSIGNED COMMISSIONER**

This ruling establishes the category, scope, and schedule of this proceeding in accordance with Article 2.5 of the Commission's Rules of Practice and Procedure.

1. Background

The County of Nevada requests that the Commission modify the exchange boundary between the Smartville Exchange and the Grass Valley Exchange to coincide with the Nevada County/Yuba County boundary line.

2. Scope

The scope identified in this ruling takes into account issues raised in the complaint filed by the County of Nevada (County), as well as an informal list of issues developed by the County and SBC Pacific Bell (SBC) in preparation for the conference call on August 26, 2002. Complainant seeks to have the boundary

between the Smartville Exchange and the Grass Valley Exchange modified to coincide with the boundary between Yuba County and Nevada County. The following are determined to be within the scope of this proceeding:

- Are the SBC charges for calls between the Smartville Exchange and the Grass Valley Exchange or the Nevada City Exchange reasonable?
- Will the expansion of the boundary of the Grass Valley Exchange to coincide with the boundary line between Nevada County and Yuba County result in reasonable rates for the subscribers formerly within the Smartville Exchange?
- How many of the affected subscribers within the Smartville Exchange seek such a modification?
- Is the modification technically feasible? What engineering changes will be required?
- What are the costs involved? Who will bear the costs of such a modification?
- Are the affected subscribers willing to accept new telephone numbers?
- What are the call volumes for the subscribers who seek this change?

Complainant indicated in the August 15, 2002 conference call that the County is not seeking an Extended Area Service (EAS) route. Establishment of an EAS route is outside the scope of this proceeding.

3. Schedule

The following timetable is adopted for this proceeding, based on Conference Calls held on August 15, 2002 and August 26, 2002 with the County of Nevada, SBC Pacific Bell, and the assigned Administrative Law Judge (ALJ):

County's prepared direct testimony	October 15, 2002
SBC Pacific Bell's prepared responsive testimony	November 5, 2002
County's prepared rebuttal testimony	November 13, 2002
Public Participation Hearings (2:00 p.m. and 7:00 p.m.)	November 20, 2002
Evidentiary hearing (10:00 a.m.)	November 21, 2002
Concurrent opening briefs	December 9, 2002
Concurrent reply briefs and submission date	December 23, 2002
Presiding Officer's decision issued	February 21, 2003
Presiding Officer's decision becomes effective 30 days after mailing (unless appeal filed per § 1701.2(a) and Rule 8.2).	March 23, 2003

4. Hearing Locations

All hearings (both Public Participation Hearings and the Evidentiary Hearing) will be held at the Penn Valley Fire Station, 10513 Spenceville Road, Penn Valley, CA 95946.

5. Category of Proceeding

This ruling confirms the Commission's determination in the "Instructions to Answer" that the category for this proceeding is adjudicatory. Any party could have appealed the categorization pursuant to Rule 6.4, but no appeal was

filed. In an adjudicatory proceeding, all *ex parte* communications are prohibited, pursuant to Rule 7(b).

6. Presiding Officer

Pursuant to Pub. Util. Code § 1701.2(a), Administrative Law Judge Karen Jones is designated as the presiding officer in this proceeding.

7. Service List and Electronic Distribution of Pleadings

The official service list for this proceeding will be established at the time of the evidentiary hearing.

In addition to the required service (per Rule 2.3), all parties are encouraged to distribute all pleadings and testimony in electronic form to those parties that provided an electronic mail address. The assigned ALJ's e-mail address is kaj@cpuc.ca.gov.

Therefore, **IT IS RULED** that:

1. The scope of this proceeding is set forth in Section 2 of this ruling.
2. The timetable for this proceeding is set forth in Section 3 of this ruling.
3. This ruling confirms the Commission's determination that the category for this proceeding is adjudicatory.
4. The *ex parte* rules as set forth in Rule 7(b) of the Commission's Rules of Practice and Procedure and Pub. Util. Code § 1701.2(b) apply to this proceeding.
5. Administrative Law Judge Jones is the presiding officer in this proceeding.
6. The official service list will be developed at the evidentiary hearing.

Parties should serve all filings on parties listed on the service list. In addition, parties are encouraged to distribute all pleadings and testimony in electronic form to those parties that provided an electronic mail address to the Commission.

Dated October 9, 2002, at San Francisco, California.

/s/ GEOFFREY F. BROWN

Geoffrey F. Brown
Assigned Commissioner

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Scoping Memo and Ruling of Assigned Commissioner on all parties of record in this proceeding or their attorneys of record.

Dated October 9, 2002, at San Francisco, California.

/s/ FANNIE SID
Fannie Sid

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074 or TTY# 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.